

STEVEN W. MYHRE  
Acting United States Attorney  
District of Nevada

BEN A. PORTER  
Special Assistant United States Attorney  
160 Spear Street, Suite 800  
San Francisco, California 94105  
Telephone: (415) 977-8979  
Facsimile: (415) 744-0134  
E-Mail: Ben.Porter@ssa.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LAURA GREISS,

Plaintiff,

v.

NANCY A. BERRYHILL,  
Acting Commissioner of Social Security,<sup>1</sup>

Defendant.

Case No. 2:17-cv-00235-RFB-NJK

**MOTION FOR EXTENSION OF TIME**  
**(FIRST REQUEST)**

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Rule 6-1 of this Court's Local Rules, the United States moves for an order providing the United States with a fourteen (14) day extension of time from July 3, 2017 to July 17, 2017, in which to respond to the Complaint in this matter and file a copy of the administrative record. There have not been any previous requests for such an extension of time.

<sup>1</sup> Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 In support of this motion, the United States relies on the Memorandum of Points and  
2 Authorities below.

3 Dated June 30, 2017.

4 STEVEN W. MYHRE  
5 Acting United States Attorney  
6 District of Nevada

7 /s/ Ben A. Porter  
8 BEN A. PORTER  
9 Special Assistant United States Attorney  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1                                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2           Federal Rule of Civil Procedure 6(b)(1) and Local Rule 6-1 allow a party to request  
3 additional time to perform an act. In this case, the United States requests additional time to file a  
4 response to the complaint for the reasons set forth below.

5           An extension of time is needed in order to prepare Defendant's Answer because the  
6 Commissioner is still in the process of assembling and finalizing the administrative record. This  
7 request is made in good faith with no intention to unduly delay the proceedings. Counsel for  
8 Defendant attempted to meet and confer with Plaintiff's counsel by email and by phone on June  
9 30, 2017, in order to obtain agreement to an extension for an unopposed motion; however,  
10 counsel was unable to reach Plaintiff's counsel.

11           Based on these circumstances, the United States requests an extension of time of  
12 fourteen (14) days from July 3, 2017 to July 17, 2017, in which to respond to the Complaint in  
13 this matter and file a copy of the administrative record.

14           This motion is brought in good faith and not for purposes of undue delay.

15           Respectfully submitted this 30th day of June 2017.

16                                   STEVEN W. MYHRE  
17                                   Acting United States Attorney  
                                      District of Nevada

18                                   /s/ Ben A. Porter  
19                                   BEN A. PORTER  
                                      Special Assistant United States Attorney

20   OF COUNSEL:

21   DEBORAH LEE STACHEL  
22   Regional Chief Counsel, Region IX

23                                   IT IS SO ORDERED:

24                                     
25                                   \_\_\_\_\_  
                                      UNITED STATES MAGISTRATE JUDGE

26                                   DATED: July 3, 2017  
27  
28